

experience and imagination with the vision to create classic civic design where building and site come together as one. In a professional career spanning over 50 years, Kiley has worked on some of this country's most important commissions along with many of today's most distinguished architects and firms in 16 foreign countries. He has helped design sites including the Washington Mall, the National Gallery of Art East Wing, National Sculpture Garden—all in Washington, D.C. More recently, he worked on the design of the Pittsburgh Cultural Trust plaza and museum, the Soros residence, and Riverfront Park in Corning, New York. He is the recipient of many awards and honors including the 1995 Arnold W. Brunner Prize in Architecture, the Outstanding Lifetime Achievement Award from the Harvard Graduate School of Design, and a 1991 Governor's Award for Excellence in the Arts from the Vermont Council on the Arts. Kiley's work has been shown at the Museum of Modern Art in New York, the Library of Congress, and in traveling national exhibitions. He has lectured extensively and served on many design juries. His work has been widely published in the U.S. and abroad. In 1998, Kiley will publish a book exploring the breadth of his work. He served on President Kennedy's Advisory Council for Pennsylvania Avenue, the National Council on the Arts, the Boston Redevelopment Authority, the Cambridge Redevelopment Authority, the Washington, D.C. Redevelopment Land Agency, and the Vermont Council on the Arts. He also has been a Landscape Architect-in-Residence at the American Academy in Rome. Kiley's designs have been widely cited for their ability to raise public consciousness and enhance awareness of man's relationship to nature, while maintaining a sense of joyousness, fun, and excitement.●

#### FIRST ANNUAL WORLD EDUCATOR AWARD

● Mrs. MURRAY. Mr. President, I rise to join the Washington World Affairs Council in congratulating Mr. Keith Forest of Decatur High School in Federal Way, Washington, as the very first recipient of the World Educator Award.

The World Affairs Council is a 1,200 member nonprofit organization of business and community leaders with more than 40 years of experience bringing the world to Washington State. Through its many programs, including the Global Classroom, the World Affairs Council has been an instrumental force in educating the people of my State about the world around us; our varied and diverse cultures, changing political and security environments, and of course, the importance of international trade. It is appropriate and noteworthy that this widely respected organization would annually recognize a World Educator in our State.

On December 6, 1997, Mr. Keith Forest will be presented with the World Educator Award. This award recognizes an outstanding teacher of the world including global cultures, contemporary world issues and world languages.

I would like to join the World Affairs Council in acknowledging and recognizing Keith Forest for his invaluable contributions to our children's understanding of the world. Keith Forest has been a teacher for more than 25 years. His own experience as a student of the

world has been shared with thousands of students and future leaders.

Mr. Forest does not rely on easily outdated texts to teach about the ever changing world, but instead has designed his own curriculum. As a frequent traveler, Mr. Forest brings to his class slides and videos and stories from around the globe. The posters of Chairman Mao's Cultural Revolution and the pottery shards used by his archeology students are tangible examples of how Keith Forest's teaching brings world history to life.

Mr. Forest has taught social studies at Decatur High School in Washington State for 15 years and his reputation precedes him through the halls. Students line up to take his classes, knowing the hands-on, in-depth exposure they will receive in his class. His passion and enthusiasm for helping his students grasp socio-political concepts and foreign affairs easily transfers to his eager classroom participants.

A Fullbright Scholar, Mr. Forest has studied in Japan, Korea and China and has led numerous expeditions and exchange programs. He wrote the Washington State curriculum on the Holocaust after a trip to Israel. Additionally, he authored the Port of Seattle sponsored curriculum on international trade that is used throughout the State.

Congratulations to Keith Forest and the World Affairs Council. Your work in the classroom echoes through our State and educates us all.●

#### ADOPTION PROMOTION ACT OF 1997

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 66, H.R. 867.

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 867) to promote the adoption of children in foster care.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

#### AMENDMENT NO. 1614

(Purpose: To provide a complete substitute)

Mr. CRAIG. Mr. President, I have a substitute amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG] proposes an amendment numbered 1614.

Mr. CRAIG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. ROTH. Mr. President, today, it is my pleasure to support and urge pas-

sage of the Promotion of Adoption, Safety, and Support for Abused and Neglected Children Act or the PASS Act for short. This legislation contains the right combination of reforms to dramatically change the child welfare system for the better.

The foster care system reflects a part of modern society which prompts us to ask many questions of ourselves and each other. It is a mirror which can be troubling to look into.

Today, we join the tens of thousands of loving foster care and adoptive families and dedicated professionals who are daily witnesses of the successes and failures in a system through which millions of people pass each year. Each report to a child protective service agency involves a victim and a perpetrator—in most cases, a child and his or her parent. A case may take a single day or many years to close.

Many of these cases are complex and that the length of time in foster care has an effect on the child. Between 1985 and 1995, the number of children in foster care increased from 276,000 to 494,000, an increase of nearly 80 percent.

Much of this increase is due to the hurricane-force waves of drug abuse which continue to unleash their destructive powers on communities and families. Those who believe for even a foolish moment that drug use is a victimless crime are proven wrong by the recent trends in the child welfare system. One need only to look inside the hospital crib of an abandoned crack baby to understand the truth.

The Department of Health and Human Services estimates that 100,000 children currently in foster care cannot return home without jeopardizing their health, safety, and development.

There is great concern that more children are staying in foster care for longer periods of time. The very laws which are intended to protect children may in practice work against their best interests.

The child welfare system itself is complex and is composed of many parts and programs. Although the Federal Government has assumed a greater share of the cost of these programs in recent years, State and local governments still provide the majority of the resources for the child welfare system.

In fiscal year 1997, the Federal Government contributed approximately \$5 billion to the child welfare system.

Of this amount, 85 percent was spent through title IV-E programs.

CBO estimates that under current law, outlays for foster care and adoption assistance will increase by more than 50 percent from \$3.9 billion in fiscal year 1997 to \$5.9 billion in 2002.

Federal funds are used to subsidize about half of the children in foster care and about two-thirds of the children receiving adoption assistance payments.

The Promotion of Adoption, Safety, and Support for Abused and Neglected Children Act includes much needed reform to the child welfare system.

The PASS Act provides that in determining "reasonable efforts," the child's health and safety shall be the paramount concern.

It clarifies circumstances, including murder, voluntary manslaughter, and felony assault under which "reasonable efforts" to reunite families are not required.

It requires the States to initiate or join proceedings to terminate parental rights if a child has been in foster care for 12 of the most recent 18 months.

The PASS Act strengthens the "permanency plan" for children in foster care.

It requires criminal background checks for prospective foster care and adoptive parents and any other adults residing in the household and employees of foster care institutions. The amendment specifies circumstances when approval shall not be granted.

The PASS Act provides adoption incentive payments to the States to increase the number of children which may total \$6,000 per child.

It expands the number of child welfare demonstration projects.

The amendment also reauthorizes and expands the Family Preservation and Support Services program and includes reforms to this program.

It renames the program to the Promoting Adoptive, Safe, and Stable Families program.

Funding is increased by \$50 million.

The amendment adds adoption promotion and time-limited family reunification services to the program.

It removes geographic barriers to adoption.

The PASS Act requires States to provide for health insurance coverage for adopted children with special needs.

It continues eligibility for adoption assistance payments for children whose initial adoption has been disrupted.

It provides for an annual report on the State performance in protecting children.

The PASS Act requires the Secretary of Health and Human Services to recommend to Congress a new incentive system based on State performance within 6 months.

The PASS Act once again calls upon our State partners to address the problems of a system in much need of reform. This will be the first significant reform of the child welfare system since 1980.

We have enacted sweeping welfare reform and Medicaid reform legislation.

We have created a new partnership with the States through the State Children's Health Insurance Program. The PASS Act calls upon the States to channel their efforts to the child welfare system with the same commitment, creativity, and innovation which led to last year's historic welfare reform legislation.

Last year we worked to free millions of families from the trap of welfare dependency. Let us now work together to ensure that no children will be left without the opportunity to be a part of a loving, safe, and stable family.

There are a number of Senators who deserve our special thanks and recognition for their tireless efforts to bring this bipartisan bill to the floor today.

Without naming them all, let me just thank them and congratulate them for a job well done.

Mr. President, I urge the adoption of the amendment.

Mr. ROCKEFELLER. Mr. President, at least half a million American children are living in this country's foster care system—a system that was never designed and never intended to provide a permanent home for children who have been abused and neglected by their parents. Tragically, many of these children could be adopted, but are forced to wait to become a part of a new family because the current child welfare system has become tired and broken. Most vulnerable among this already fragile population are those children with special needs—children who, without help and strong governmental support, will never have the opportunity to become a part of an adoptive family.

Acknowledging our collective obligation to let no child fall through the cracks of the system—especially those facing severe emotional, physical, and other circumstantial limitations—I am pleased to have the opportunity to lend my vote and full support to the Promotion of Adoption Safety and Support for Abused and Neglected Children [PASS] Act. This legislation, the produce of a series of hard-fought and sometimes painful compromises, represents a positive first step in a long journey of essential work to be done on behalf of abused and neglected children.

While many of us properly acknowledge that the journey is by no means over, we would not have been able to come this far had it not been for the unflagging leadership of my good friends and colleagues Senators JOHN CHAFEE and LARRY CRAIG. They are the reason that this unique bipartisan coalition has been able to bring this bill forward. I would also like to express my special thanks to the other hard-working members of the Senate adoption working group who have made this first step possible: Senators JEFFORDS, DEWINE, COATS, BOND, LANDRIEU, LEVIN, MOYNIHAN, KERREY, and DORGAN. Finally, I would like to acknowledge the work of Senator ROTH who has made it possible for this legislation to be fairly considered here today.

The PASS Act will fundamentally and positively shift the focus of the current foster care system by insisting, for the first time in Federal law, that a child's health and safety and the opportunity to find a loving, permanent home, should be the paramount considerations when a State child welfare agency makes any decision regarding the well-being of an abused and neglected child. The main objective of this bill is to move abused and neglected kids into adoptive or other permanent homes and to do so more

quickly and more safely than ever before.

While PASS appropriately preserves current Federal requirements to reunify families when that is best for the child and family, it does not require the States to use "reasonable efforts" to reunify families that have been irreparably broken by abandonment, torture, physical abuse, murder, manslaughter, and sexual assault. Thanks to Chairman ROTH, the legislation includes a new fast track provision for such children in cases of severe abuse. Under the new provision, when reasonable efforts are not appropriate, a permanency planning hearing would be held within 30 days. In practice, this change could yield tremendous results. For example, in the case of an abandoned infant where reasonable efforts are waived, a permanency hearing would be scheduled within the month, and that child could be moved swiftly into a safe and permanent home. To provide balance, the PASS Act requires that the States use the same "reasonable efforts" to move children towards adoption or another permanent placement consistent with a well-thought out and well-monitored plan.

In addition, PASS encourages adoptions by rewarding States that increase adoptions with bonuses for foster care and special needs children who are placed in adoptive homes. Most significantly, the legislation takes the essential first step of ensuring ongoing health coverage for all special needs children who are adopted. Without this essential health coverage, many families who want to adopt children with a range of physical and mental health issues would be unable to do so. I am happy to see that medical coverage, which has always been a vital cornerstone of any program that substantively helps children, is also a key component of this bipartisan package.

Ensuring safety for abused and neglected children is another significant goal of this legislation. PASS seeks to accomplish this goal by ensuring that the "safety of the child" is considered at every stage of the child's case plan and review process. Moreover, the bill requires criminal background checks for all potential foster and adoptive parents and other adults living in the same household.

PASS also cuts by one-third the time a child must wait to be legally available for adoption into a permanent home by requiring States to file a petition for termination of parental rights for a child who has been waiting too long in a foster care placement. At the same time that it speeds adoptions where appropriate, it also gives States the discretion to choose not to initiate legal proceedings when a child is safely placed with a relative, where necessary services have not been provided to the family, or where the State documents a compelling reason not to go forward.

At the same time that this bill imposes tough but effective measures to decrease a child's unnecessary wait in

foster care, PASS continues investments in strengthening families at the community level by reauthorizing the 1993 budget provision for family preservation and family support for 3 years, with an extra \$60 million in funding. This is an innovative prevention program, and this bill's new language encourages States to ensure that adoptive families are also served by the program. As part of a balanced bipartisan package, these programs will support a range of fundamental State services to help parents, children, adoptive families and to improve the court system. This legislation also takes care to assure that children who have gone through adoptions that have been disrupted or whose adoptive parents die will remain eligible for Federal support.

PASS provides a strong foundation for the work that is yet to be done on behalf of abused and neglected children. Years ago, as chairman of the National Commission on Children, I was proud to issue a bold, bipartisan report called *Beyond Rhetoric*. This report included bold recommendations to reform our current, inadequate system to help abused and neglected children. I am committed to the agenda laid out in this plan and will keep working until we achieve all of its goals for children and families.

The PASS Act is a bold step forward. It has been extremely rewarding to forge such a strong bipartisan consensus to promote adoption and to take key steps in helping every child find a safe, stable, and permanent home.

Mr. HELMS. Mr. President, I am gratified that Congress is today passing legislation to promote the adoption of children in foster care. This legislation is not perfect, but it does clarify that it is in the best interest of every child—regardless of his or her age, race or special need—to be raised by a family who will provide a safe, permanent, and nurturing home.

Congress should be unmistakably clear in expressing this judgment: Foster care children should not be returned to unfit, abusive parents; and the barriers that currently prevent the adoption of foster care children must be lifted. Believe me, Mr. President, there is no shortage of prospective parents. The National Council for Adoption estimates that 2 million couples are waiting to adopt a child. Nonetheless, each year 15,000 children reach adulthood and leave the foster care system without ever becoming part of a permanent home.

Because the current Federal law requires States to make reasonable efforts to reunite children with their biological parents, children have tragically been returned to their abusive and sometimes murderous parents.

Under this adoption-foster care bill, States are not required to make reasonable efforts to reunite children with parents who have murdered another child; committed a felony assault that results in serious bodily injury to a

child; or who pose a serious risk to a child's life.

Foster care children who can never return safely home should not be left to linger in the foster care system—which, after all, is supposed to be temporary. Instead, these children should be placed up for adoption, and the parental rights of abusive parents should be terminated so adoption can take place.

Let me be clear, parents who use reasonable discipline in rearing their children are not the parents who should have their rights terminated. This legislation includes language to ensure that reasonable discipline—such as reasonable spanking—is not misinterpreted as an act of abuse. Therefore, no State agency or court shall disrupt a home where parents use reasonable discipline.

What we are talking about, Mr. President, are children who have been taken out of their homes because they've been truly abused and neglected. But because of current Federal law, these children are not being placed up for adoption—but are growing up in foster care. The numbers speak for themselves. There are more than half a million children currently living in foster care—an alarmingly high number which illustrates how the foster care system is in disarray.

Is it not the responsibility of our civilized society to ensure the safety and well-being of these vulnerable children by promoting adoption? And shouldn't we provide couples willing to love and care for these children the opportunity to do so? I believe the answer is clearly yes.

#### CRISIS NURSERIES

Mr. WYDEN. Mr. President, the reauthorization of the Family Preservation and Support Act is important to families who are at risk or in crisis. One notable service now specifically mentioned in the act is the care provided by a crisis nursery. Crisis nurseries provide respite and therapeutic services for families with young children to assist parents in attaining self-sufficiency. One crisis nursery in particular, the relief nursery of Eugene, OR, is a model child abuse and prevention program. After involvement with the relief nursery, fewer than 9 percent of the 373 children served reported abuse, neglect, or domestic violence to the State child protection office. Moreover, 82 percent of children served by the relief nursery were living safely with their parents at the end of the year, averting foster care or other out-of-home placement. The relief nursery has accomplished these results through dedication to comprehensive family services emphasizing programs that strengthen the parent-child relationship. Does the Senator agree that crisis nurseries can play an important role in saving families?

Mr. ROCKEFELLER. Yes. Crisis nurseries help reduce child abuse incidents and, ultimately, reduce the necessity for foster care placements. Crisis nurseries can save a family.

Mr. WYDEN. I think the relief nursery is a needed member of the community, providing invaluable services to children who need them most. Crisis nurseries work because they provide intensive, personalized, and long-term services to families with children in the most vulnerable age groups. I thank the Senator for recognizing the work of nurseries, such as the relief nursery, in your bill.

Ms. MOSELEY-BRAUN. Mr. President, I support the Promotion of Adoption, Safety and Support for Abused and Neglected Children [PASS] Act, as a commonsense approach to child welfare. Under the PASS Act, a State, for the first time, must make a child's health and safety the paramount consideration when making any decision regarding a foster care or adoption placement.

It seems inconceivable that this is not currently the guiding principle behind every State's child welfare policy. The evolution of the child welfare system, however, has left a patchwork of goals and rules that can jeopardize a child's well being.

The PASS Act will, for the first time, guarantee that every adopted child with special needs will receive needed health care coverage from the State. Previously, a child's eligibility for health care was tied to the ability of the birth parents to pay, even though the birth parents had given up all legal and economic ties to the child. There was no consideration given to the ability of the adoptive, permanent parents to afford health care for the child.

Another example of the PASS Act's commonsense approach is the requirement that States provide for criminal records and child abuse registry checks of any prospective foster or adoptive parents, noncustodial adults living in a foster or adoptive home, and employees of child care institutions. Choosing a safe and supportive home for a child is not a simple task, but ensuring that the child is not placed with someone convicted of a serious crime or child abuse must be a basic requirement. This is not required under current law.

There are a number of other important provisions in this bill, including the reauthorization of the family preservation and family support program to strengthen families, and a system of rewards for States that increase adoption placements. Taken as a whole, this bill is an important step forward in our efforts to improve child health and safety.

The sponsors of this bill have worked diligently to forge bipartisan compromise on this legislation. I commend them for their efforts and their success.

As with all compromise legislation, there are provisions in the PASS Act with which I do not necessarily agree. I am concerned that insufficient efforts will be made to keep sound families together, that the allowance of child welfare waivers will lead to inadequate Federal oversight of child welfare in

the States, and that funding must be increased in order to achieve a permanent solution to the problems plaguing our child welfare system.

While it is politically popular to withdraw Federal support and oversight for programs and turn power over to the States, I firmly believe that we cannot abandon our Federal role in providing for the welfare of the Nation's children. Whether we are talking about providing access to early childhood education, repairing the Nation's crumbling schools, or guaranteeing the health and safety of children in our foster care and adoption system, the Federal Government must continue to assist and oversee State efforts.

In the end, no child's welfare should be dependent on the generosity or failure of the foster care and adoption program in the State in which he or she was born. Commonsense requires that we continue to marshal the Nation's resources to provide for the next generation of Americans.

The PASS Act is an opportunity for Congress to assist States in providing for those of America's children in need of foster care or adoption. By ensuring that the health and safety of the child are paramount, this legislation puts us on the track to making the foster care and adoption system work for the children it is meant to serve. I thank my colleagues for their efforts and for their commitment to common sense, and urge the Senate to approve the PASS Act.

Mr. McCAIN. Mr. President, I rise today to express my support for the establishment of a national voluntary mutual reunion registry contained in section 205 of the Promotion of Adoption, Safety, and Support for Abused and Neglected Children [PASS] Act. This provision would permit the Secretary of Health and Human Services, at no net expense to the Federal Government, to facilitate the voluntary, mutually requested reunions of biological relatives who have been separated by adoption.

This registry is intended to help reunite the hundreds of thousands of adult adoptees, birth parents and siblings who are searching for each other. Currently, the search can be very costly, cumbersome, and futile. The national registry would help many individuals who were separated by adoption and are now searching for each other.

Some concerns have been raised that this provision would infringe an individual's privacy, and that a national voluntary registry could result in the inappropriate disclosure of private, sensitive information. This is completely inaccurate. I and the other sponsors of this provision, along with the Finance Committee have worked tirelessly to ensure that all the necessary safeguards have been included in this provision to ensure that an individual's personal privacy is not violated in any manner.

Under the guidelines for the national voluntary registry established in this

bill, one party could not search out another individual unless both parties were searching for one another. All parties involved would have to, on their own accord, voluntarily decide to search for each other and participate in the registry. This provision specifically requires that the registry only contain information necessary to facilitate a match, that the confidentiality of all consenting participants be protected and that no information be disclosed without prior, written consent from the individual.

Section 205 specifically requires that any computerized system created to implement this registry must not intrude on any existing data systems at the Department of Health and Human Services and must utilize appropriate methods to protect the privacy of information contained in the registry. In addition, it establishes criminal and financial penalties for potential abusers of the national registry.

Finally, the measure specifically states that this registry does not preempt any State laws relating to adoption and the confidentiality of adoption records.

Mr. President, this provision is not a mandate, has absolutely no cost to the Federal Government or taxpayers, and is completely voluntarily. This important provision will help thousands of Americans who want to learn about themselves and their biological history.

Mr. WYDEN. Mr. President, in significant ways, the promotion of adoption, safety, and support for abused and neglected children represents an important step forward in Federal policy for child welfare. It parallels Oregon's best interest of the child bill in its recognition of the crucial importance of timely achievement of permanent family placements for children who must be temporarily placed in foster care. Further, it clarifies that a child's health and safety are paramount concerns in considerations of reasonable efforts for family preservation. The PASS Act also broadens support for adoptive placement, increases post-adoption assistance for families, and emphasizes the link between the child's welfare and parent's well-being. Moreover, the bill's intense interest in kinship care is both wise and timely. I am particularly concerned about this complex issue and I have devoted a lot of attention to it over the past several years.

Kinship care, the full-time care and protection of children by a relative, is in many cultures, a time honored tradition. Throughout history relatives have come forward to care for and raise children when the parents were unable to do so themselves. Recently, the decision over whether relatives may best provide for children has increasingly involved child welfare agencies. Yet, Mr. President, our country does not have a national policy to deal with relative care arrangements. In light of this fact, the PASS Act makes signifi-

cant strides toward recognizing relative care arrangements for what they are—legitimate, appropriate placements—for a family. There is a precedent for this recognition; last year I fought for language in the welfare reform bill requiring that kinship care be considered first for children needing placement.

I am pleased that many of the provisions I included in my kinship care bill, S. 822, were incorporated in the PASS Act. One such provision allows kinship providers an opportunity to be heard during abuse and neglect proceedings. I have heard from grandparents in Oregon who tell me that they can add additional information that may be helpful to the court's determination of the child's future living arrangements, but often are not aware of their grandchild's placement in foster care or where they are in the system. It is important that relative caregivers are notified when there are administrative proceedings on a child's status.

The inclusion of a kinship care advisory panel instructed to make recommendations about kinship care policies is also included in this bill. Thankfully, relative caregivers and former foster children in relative care arrangements will now be able to sit on a panel and examine what is needed to improve these arrangements for all involved. The panel's findings must be submitted in a comprehensive report to the Department of Health and Human Services. The report will examine who kinship caregivers are, what services are provided to them and many other factors that will help us develop a national policy on this growing child welfare issue.

Another critical provision in the bill deals with standby guardianship. Many relative caregivers are caring for families devastated by HIV/AIDS. In adoption or guardianship proceedings today, dying parents are asked to give up their custodial rights over their children in order to ensure a permanent, stable placement for their child. Under this bill, any parent who is chronically ill or near death may designate a standby guardian without being forced to surrender their parental rights. PASS encourages States who have not already passed standby guardianship laws to do so. As we seek to adequately support relative care providers caring for children, we must first ask educated questions and receive thorough answers. Ultimately, the PASS Act has made a good-faith effort to recognize and study the issue of kinship care. This is a good first step for children and families.

Mr. CRAIG. Mr. President, I ask unanimous consent that the substitute amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1614) was agreed to.

Mr. CRAIG. Mr. President, I ask unanimous consent that the bill be considered read a third time and

passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 867), as amended, was read a third time and passed.

Mr. CRAIG. Mr. President, the Senate, by this action, has just passed a major reform in the foster care of this country, an issue that bipartisan Senators have gathered on over the last several months to resolve. Senator ROTH, of the Finance Committee, in the last several weeks, working with Senator ROCKEFELLER, Senator CHAFEE, myself, Senator COATS, and Senator DEWINE have taken on an effort to reform foster care in this country by the proposal of this legislation that we have now gained the concurrence of the Senate on.

It is without question, in my opinion, a landmark piece of legislation because what it does, for the first time, is use foster care the way we intended it originally to be used. It ensures the safety for abused and neglected children. It promotes adoption. It accelerates permanent placement. It offers to children of this country in need an opportunity for a loving and permanent home. And it increases the accountability of reform.

I am extremely pleased that at this late hour we could finally bring about a conclusion to this effort.

#### NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY

Mr. CRAIG. Mr. President, I now ask unanimous consent that the Senate proceed to S. 1487 introduced earlier today by myself.

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 1487) to establish a National Voluntary Mutual Reunion Registry.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CRAIG. Mr. President, I ask unanimous consent that the bill be advanced to third reading and passed, and the motion to reconsider be laid upon the table, all without further action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1487) was read a third time and passed, as follows:

S. 1487

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY.

Part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) is amended by adding at the end the following:

#### "SEC. 479A. NATIONAL VOLUNTARY MUTUAL REUNION REGISTRY.

"(a) EXCHANGE OF MUTUALLY REQUESTED IDENTIFYING INFORMATION.—The Secretary,

in the discretion of the Secretary and provided that there is no net cost to the Federal Government, may use the facilities of the Department of Health and Human Services to facilitate the voluntary, mutually requested exchange of identifying information that has been mutually consented to, by an adult adopted individual who is 21 years of age or older with—

"(1) any birth parent of the adult adopted individual; or

"(2) any adult sibling who is 21 years of age or older, of the adult adopted individual,

if such persons involved have, on their own initiative, consented by a signed notarized statement to the exchange of such identifying information.

"(b) REQUIREMENTS.—The Secretary shall ensure that a National Voluntary Mutual Reunion Registry established under this section (in this section referred to as the "Registry") meets the following requirements.

"(1) CENTRALIZED CAPACITY.—The Registry provides a centralized nationwide capacity for the information described in subsection (a) and utilizes appropriately designed computer and data processing methods to protect the privacy of the information contained in the Registry, and does not intrude on any other data system maintained by the Department of Health and Human Services.

"(2) ESTABLISHMENT OF PROCEDURES.—The Registry complies with procedures established by the Secretary that provide that—

"(A) only information necessary to facilitate a match shall be contained in the Registry and the Registry shall not attempt to make contact for the purpose of facilitating a reunion with any individual who is not entered into or participating in the Registry;

"(B) to the maximum extent feasible, the confidentiality and privacy rights and interests of all parties participating in the Registry are protected; and

"(C) information pertaining to any individual that is maintained in connection with any activity carried out under this section shall be confidential and not be disclosed for any purpose without the prior, written, informed consent of the individual with respect to whom such information applies or is maintained.

"(c) REASONABLE FEES.—Reasonable fees, established by taking into consideration, and not to exceed, the average charge of comparable services offered by States, may be collected for services provided under this section.

"(d) PENALTY FOR VIOLATION.—

"(1) FINE AND IMPRISONMENT.—Any individual or entity that is found to have disclosed or used confidential information in violation of the provisions of this section shall be subject to a fine of \$5,000 and imprisonment for a period not to exceed 1 year.

"(2) NONAPPLICABILITY OF SECTION 3571 OF TITLE 18, UNITED STATES CODE.—The provisions of section 3571 of title 18, United States Code, shall not apply to a violation described in paragraph (1).

"(e) NO PREEMPTION.—Nothing in this section invalidates or limits any law of a State or of a political subdivision of a State concerning adoption and the confidentiality of that State's sealed adoption record policy."

Mr. LEVIN. Mr. President, once again the Senate has gone on record in support of a measure aimed at humanizing the process through which adult biological relatives separated by adoption, who are looking for each other, can make contact.

The passage of this Craig-Levin bill would not have been possible without the steadfast leadership of Senator LARRY CRAIG. His sensitivity, his com-

mitment, his compassion and his clear understanding of this issue has been enlightening to all of the Members of this body. Let me also thank Senator MCCAIN and Senator LANDRIEU for their commitment and bipartisan spirit throughout our discussions on this issue.

Mr. President, we are deeply touched by the difficulties experienced by adult adopted persons, birth parents, and separated siblings who, often for many years and at great expense, have been seeking one another. Aside from the natural human desire to know one's roots and genetic heritage, there are other important reasons why many birth relatives seek to make contact with each other. Some are seeking a deeper sense of identity, some need vital information which may affect their own mental and physical health and some are facing momentous family decisions that require more knowledge about their heritage; and a substantial percentage of birth parents say they want to be available to the adult children many relinquished at birth, during a time of stress, should they also desire to make contact.

We believe that S. 1487, the National Voluntary Mutual Reunion Registry, deals with these needs and emotions in a careful and sensitive way. The legislation permits the HHS Secretary, at no net expense to the Federal Government, to facilitate the voluntary, mutually requested exchange of identifying information that has been mutually consented to in a signed notarized statement of identifying information by the birth parent, adult adoptee 21 years or older or adult siblings.

This legislation does not call for the unsealing of adoption records. Currently, over half the States provide for voluntary and mutual reunion facilitation. However, State-based systems are restricted, by nature, to the geographic boundaries of the State. Since we are a mobile society, that limitation reduces the utility of State-based systems. Adoptions are often started in one State but finalized in another. Additionally, the adoptee, birth parent or siblings may be a resident of several different States during their lifetimes.

Finally, Mr. President, this legislation does not mandate, but simply gives the Secretary the discretion to facilitate voluntary, mutual reunions, if she so chooses.

I commend my colleagues in the Senate on the passage of this humane and much-needed legislation. I ask unanimous consent that the text of the bill be included in the RECORD again at this point.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.